

REMARKS:

Claim 13 was objected to on the basis that there is no antecedent basis for the term "the database" as used in the claim. The Examiner suggested that this objection could be overcome by amending claim 13 to call for "a database." Claim 13 has accordingly been amended in the manner suggested by the Examiner. The Examiner also indicated that the abstract should be limited to 50-150 words and suggested a new more descriptive title for the invention. The abstract and title have been amended in accordance with the Examiner's suggestions.

Claims 1-14, 17, 18, 21, and 22 were rejected as being anticipated under 35 U.S.C. §102(e) by the teachings of Waco (United States Patent 6,484,094). On May 13, 2004 Michael L. Kerns, the inventor, and Alvin T. Rockhill, the attorney for the applicant, discussed this issue with Supervisory Examiner Thomas G. Black and Examiner Ronnie M. Mancho. During the interview it was agreed that all of the claims pending in the subject patent application were allowable over the teachings of the prior art of record.

The teachings of Waco do not anticipate or render obvious the claims pending in the subject patent application because Waco does not disclose or suggest a system that communicates alerts to a traveler when the traveler moves within a specified proximity to a location associated with the alert. In using the system disclosed by Waco the traveler is not automatically alerted with regard to being within a specified proximity to the location of a point of interest. The Waco system requires the user to manually search for points of interest via a menu display system without being automatically alerted. During the interview Examiner Black correctly recognized that a traveler using the Waco system could walk right past a point of interest without being alerted and without ever being made aware of its existence. It was further noted that the system now being claimed would automatically alert the traveler in such a situation and would offer the advantage of preventing the traveler from missing the point of interest.

During the interview it was agreed that claim 1 and claim 5 could be further distinguished from the teachings of Waco by being amended to call for the alerts to be communicated without being prompted. Claim 1 and claim 5 have been amended in this manner.¹ It was agreed that such claims would be allowable over the teachings of the prior art of record.

¹ Claims 1 and 5 are the only independent claims pending in the subject patent application.

Claims 15 and 16 were rejected under 35 U.S.C. §103(c) as being unpatentable over Wako in view of Chowdhary (United States Patent 6,282,496)² and claims 19 and 20 were rejected under 35 U.S.C. §103(c) as being unpatentable over Wako in view of DeLorme (United States Patent Application No. 2003/0182052).³ However, the rejection of these


2 Chowdhary discloses an improved vehicular inertial guidance navigation system for navigation of a vehicle. The inertial guidance navigation system of Chowdhary may be used alone or in combination with other position determination means, such as GPS and map databases, to determine the location of a vehicle. The system disclosed by Chowdhary is reported to have several advantages over existing systems. First, it can be easily mounted to the chassis of any vehicle. Second, it does not require any interface with existing sensors on the vehicle. Third, the system contains logic for removing errors in the position and heading determinations, brought about by angulation/rotation of the chassis and inertial guidance sensors, brought about by inclination or tilt of the chassis, with respect to an inertial/quasi-inertial frame of reference, such as the earth. The inertial guidance system of Chowdhary includes: an inertial guidance sensor, a translation unit, and a logic unit. The inertial guidance sensor is suitable for coupling to the vehicle. The inertial guidance sensor senses motion of the vehicle in a non-inertial frame of reference and forming a sensor signal corresponding thereto. The translation unit is coupled to receive the sensor signal formed by the inertial guidance sensor. The translation unit translates the sensor signal into a quasi-inertial frame of reference and forms a translated signal corresponding thereto. The logic unit receives the translated signal formed by the translation unit and converts converting the translated signal into an estimated position and heading of the vehicle.

3 DeLorme discloses an Integrated Routing/Mapping Information System that links desktop personal computer cartographic applications to one or more handheld organizer, personal digital assistant (PDA) or "palmtop" devices. Such devices may be optionally equipped with, or connected to, portable Global Positioning System (GPS) or equivalent position sensing device. The desktop application of DeLorme facilitates user selection of areas, starts, stops, destinations, maps and/or point and/or route information. It optionally includes supplemental online information, preferably for transfer to the PDA or equivalent device. Users' options include route information, area, and route maps. Maps and related route information are configured with differential detail and levels of magnitude. Used in the field, in conjunction with GPS receiver, the PDA device is configured to display directions, text and map formats, the user's current position, heading, speed, elevation, and so forth. Audible signals identifying the next turn along the user's planned route are also provided. The user can pan across maps and zoom between two or more map scales, levels of detail, or magnitudes. The system disclosed by DeLorme also provides for "automatic zooming," e.g., to show greater detail or closer detail as the user approaches a destination, or to larger scale and lower resolution to show the user's overall planned route between points of interest. The DeLorme system also enables the user to mark or record specific locations and/or log actual travel routes, using GPS position information. These annotated location marks and/or "breadcrumb" or GPS log data can be saved, uploaded, displayed, or otherwise processed on the user's desktop geographic information or cartographic system. The DeLorme system application and data may be distributed online and/or in tangible media in limited and advanced manipulation formats.

dependant claims has been rendered moot by showing that claim 1 on which they are directly or indirectly dependant is allowable over the prior art.⁴

The subject patent application is now fully in compliance with the requirements of 35 U.S.C. §102, and 35 U.S.C. §103. It is accordingly now appropriate to allow the subject patent application and such an allowance is respectfully requested.

Respectfully submitted,



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⁴ In should be noted that neither Chowdhary or DeLorme disclose or suggest a system where alerts are communicated without being prompted by virtue of the traveler coming into a specified proximity to the point of interest.